

JIMENEZ, INC.

CONTRACT NO. V626C-597

VABCA-6592

VA MEDICAL CENTER
NASHVILLE, TENNESSEE

Terrance R. Ketchel, Esq., Ft. Walton Beach, Florida, for the Appellant.

Joan S. Ratliff, Esq., Trial Attorney, Jackson, Mississippi; *Charlma J. Quarles, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER OF DISMISSAL

The appeal of Jimenez, Inc., from the failure of the Contracting Officer to issue a final decision dated February 1, 2001, for a claim in the amount of \$933,946.09, involving default, was received and docketed on February 6, 2001, and assigned docket number VABCA-6592.

Prior to issuance of the formal notice of docketing in this matter, a telephone conference was held with the parties on February 8, 2001. It was determined that the 60-day period for the issuance of a final decision under the Contract Disputes Act has not expired. It appears, therefore, that this appeal is premature and the

Board is without jurisdiction in this matter. Accordingly, VABCA-6592 is hereby dismissed for lack of jurisdiction pursuant to Board Rule 5, without prejudice to the Appellant's re-filing its appeal when appropriate.

IT IS SO ORDERED

DATE: **February 9, 2001**

MORRIS PULLARA, JR.
Administrative Judge